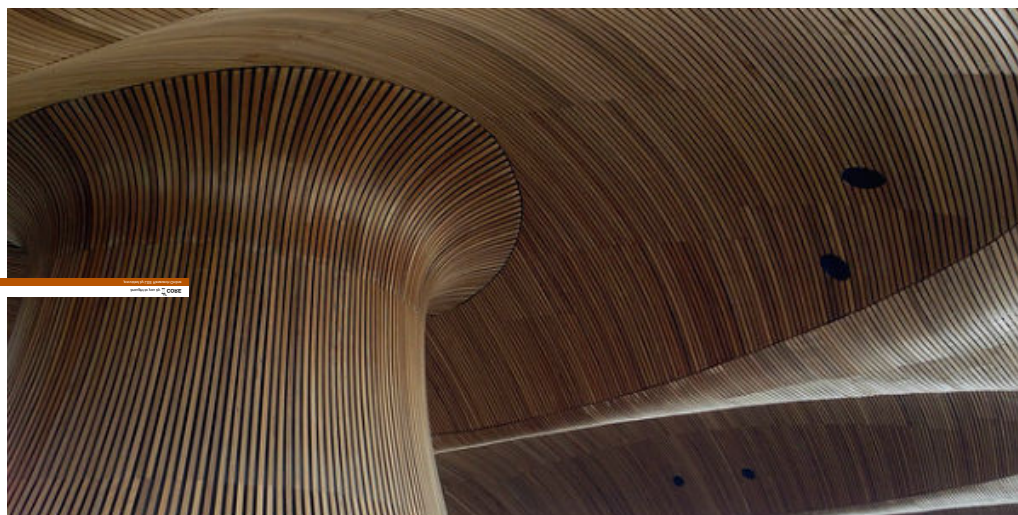


# The prospects for electoral reform in Wales

*With the introduction of the Wales Act of 2017, the National Assembly gains significant new powers. As part of this, it can enact its own proposals for electoral reform, including changes to the electoral system and introducing votes at 16. **Jac Larnier** takes a look at what these changes would entail, and the prospects for implementation.*



Roof of the Welsh Assembly building, Cardiff. Picture: [Stuart Bryant](#), via [\(CC BY-NC-SA 2.0\)](#)

The Wales Act (2017) introduces a series of changes to the devolved settlement in Wales. Wales will move from a conferred model of devolution – where the National Assembly for Wales can only legislate in areas where powers have been directly bestowed upon it – to a reserved powers model, where the Assembly can legislate on all areas except those explicitly reserved by the UK government (a move which has not been without its [troubles](#)).

As part of this constitutional change, the Assembly will have [partial control of income tax](#) in addition to full control of a number of other taxes: the Land Transaction Tax (which will replace Stamp Duty in Wales) and Landfill Disposals Tax. This adds to its portfolio of business rates and council tax that it already has control over. The Assembly will also gain powers over its own affairs. It will be able to change its name, [which it intends to do](#) – it will likely become the Welsh Parliament before the 2021 elections – increase or decrease the number of Assembly Members (AMs) elected, change the electoral system used for Assembly elections and reduce the voting age.

Within academic and political circles in Wales the idea of electoral reform has long been discussed and debated, albeit with little sign of it igniting interest among the wider public. With these powers now in effect, Welsh politicians are confronting the questions of how, and indeed if, the powers should be used. To this end, the Presiding Officer of the Assembly, Elin Jones, commissioned an independent [panel of experts](#) 'tasked with making recommendations on the number of Members the Assembly needs, the system by which they should be elected, and the minimum voting age for Assembly elections[...]and to make recommendations which, provided the required political consensus is achieved, could be implemented in time for the Assembly election in 2021.'

## A quick primer: electoral systems currently used in Wales

For each of the four elections that occur in Wales (now excluding elections to the European Parliament), a different electoral system is used. General elections to the UK Parliament, like the rest of the UK, use First Past the Post (FPTP), whereby the candidate who receives the most votes wins. Local elections in Wales also use FPTP, but councillors are often elected from multi-member wards (for example, the three candidates with the most votes are all elected).

Police and Crime Commissioners are elected via a supplementary vote system. Here, voters indicate their first and second preference candidates. If no candidate wins an outright majority of votes, then the top two candidates proceed to a 'knock-out' round where the second preference votes of eliminated candidates are allocated accordingly to produce a winning candidate.

Elections to the National Assembly for Wales use the Additional Member System (AMS – more commonly referred to as Mixed-Member Proportional or MMP outside of the UK). Under this system, voters cast two votes: one for one for a candidate in a constituency, where the winner is decided by FPTP, and one for a regional candidate elected via a proportional 'list' (with seats allocated using the [d'Hondt formula](#)).

Concerns regarding this electoral system have been voiced since the first devolved election in Wales in 1999. As the former First Minister Rhodri Morgan said on [election night 1999](#): 'I think it is fair to say that a lot of people were confused by [the electoral system]'. Objections have centred on two main claims:

- 1) Despite its claims, the system does not produce outcomes proportional to vote share. This is in contrast to how the same electoral system is used in Scotland. There are 73 constituency members of the Scottish Parliament (MSPs) and 56 list MSPs. In Wales there are 40 constituency AMs and only 20 party list ones. This leads to a Scottish Parliament that is more representative of the total Scottish vote compared to the Assembly and the Welsh vote.
- 2) It is too confusing for voters. By requiring voters to cast two separate votes for different candidates elected via different rules creates confusion and therefore does not reflect people's true preferences. There is some supporting, but by no means overwhelming, evidence that a significant proportion of voters in MMP systems are unclear of how to use their ballots effectively.

## Proposed changes

The panel, which reported in December 2017, [presented sixteen recommendations](#) to address these challenges, including but not limited to:

- **Increasing the size of the Assembly**, preferably to 90 AMs (30 more than the current 60). Within the report, the Auditor General for Wales Huw Vaughan Thomas voiced concerns that the Assembly currently did not have the required capacity for the increased scrutiny that will inevitably come with the devolution of more tax powers and responsibilities. This recommendation had been made by the 2004 Richard Commission, Electoral Reform Society and UK Changing Union, and by the Silk Commission in 2014.
- **AMs should be elected via a single transferable vote**, as it delivers on the panel's assessment principles of proportionality, equivalent status for Members and voter choice. The report also recommended that a gender quota should be implemented at elections.
- **Allow job sharing** between winning candidates.
- **Lower the minimum voting age to 16.**

## Challenges

The report's recommendations face two considerable obstacles to being implemented. First, any changes that take place must be approved by the Welsh Labour Party which, as it currently stands, has little incentive to diverge from an electoral system they have benefitted from considerably (Labour have won every devolved election held in Wales). Convincing Labour that they do not face losing substantial levels of representation under an alternative electoral system will be key to making progress on these recommendations.

The second, which perhaps makes the first obstacle simple in comparison, is convincing a Welsh public in the current political and economic climate that a 50% increase in the number of politicians in Cardiff Bay is a good idea (they are being [asked to respond to the proposals](#)). For an institution whose [responsibilities are unclear for a considerable number of voters](#), winning over these voters is where the real challenge lies.

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*The article gives the views of the author and not Democratic Audit.*

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### About the author



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